

## U.S. DEPARTMENT OF COMMERCE PATENT &amp; TRADEMARK OFFICE

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|---|---|---|
| Transmittal Letter to the United States<br>Designated/Elected Office (DO/EO/US)<br>Concerning a Filing Under 35 USC 371 |   | Attorney's Docket Number<br><b>REF/Sawatzki/520</b> |
|   |   | U.S. Application Number<br><b>09/581,520</b>        |
| International Application Number<br><b>PCT/EP98/08409</b>   | International Filing Date<br><b>December 22, 1998</b> | Priority Date Claimed<br><b>December 13, 1997</b>   |
| Title of Invention<br><b>FAT BLEND</b>  |   |   |
| Applicant(s) for DO/EO/US<br><b>SAWATZKI et al.</b>   |   |   |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371:

1. ☒ This is a **THIRD** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
2. ☒ An oath or declaration of the inventor(s) (35 USC 371(c)(4)). (☒ Executed ☐ Unexecuted)
3. ☒ A copy of Form PCT/DO/EO/916 dated: August 10, 2000.
4. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
5. ☐ An assignment document for recording.  
A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
6. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
7. ☐ A substitute specification.
8. ☐ A change of power of attorney and/or address letter.
9. ☐ A Verified Statement Claiming Small Entity Status.
10. ☐ A Request for Refund.
11. ☐ Surcharge in the amount of \$ 0.00.
12. ☐ Assignment recordation fee of \$ 0.00.
13. ☐ Processing fee of \$    for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

A check in the amount of \$ 0.00 to cover the fees is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
BACON & THOMAS, PLLC

By: Richard E. Fichter  
RICHARD E. FICHTER  
Registration No. 26,382

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Phone: (703) 683-0500

Date: September 1, 2000

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

SAWATZKI et al.

Attention:

PCT BOX MISSING PARTS

Serial No.: 09/581,520

Filed: June 23, 2000

For: FAT BLEND

**RESPONSE AND SUBMISSION OF DEFECTIVE MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the Official Action dated August 10, 2000, in connection with the above-identified application. The period for response to the Official Action has been set to expire on September 10, 2000.

The Official Action acknowledges receipt of the application, but indicates that the Declaration was not in compliance with 37 C.F.R. §1.497(a) and (b). Applicants submit herewith a properly and fully executed Declaration which identifies all of the inventors on each Declaration and identifies the application by serial number, title and PCT international application number. A copy of form PCT/DO/EO/916 is submitted herewith and no fee is required having been previously paid on July 28, 2000.

It is believed that the application is now in condition for examination. Accordingly, Applicants most respectfully request that an Official Filing Receipt be issued and that the application be forwarded to the appropriate examining group for its examination in due course.

Respectfully submitted,  
BACON & THOMAS, PLLC

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DefectiveMissPts PCT Ltr toPTO.wpd  
September 1, 2000

09/581520


**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

 Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20531

REF/SAWATZKI

09/581.520

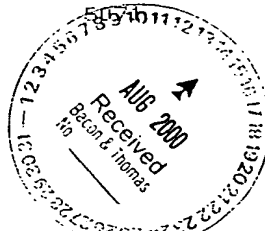
U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

PCT/EP98/08409

INTERNATIONAL APPLICATION NO.

 BACON & THOMAS  
625 SLATERS LANE  
FOURTH FLOOR  
ALEXANDRIA VA 22314-1176


12/22/98

12/13/97

I.A. FILING DATE

PRIORITY DATE

08/10/00

DATE MAILED:

**NOTIFICATION OF A DEFECTIVE RESPONSE**

1. ☐ The request for an extension of time (37 CFR 1.136(a)) filed \_\_\_\_\_ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)(1)-(a)(5).
2. ☐ Applicant's response filed \_\_\_\_\_ was received in the Office on \_\_\_\_\_, which is after the expiration of the period for response set in the last Office notification mailed \_\_\_\_\_. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).
3. ☒ Applicant's response filed **28 JUL 2000** included the following items, the receipt of which is hereby acknowledged:

- ☐ Copy of the international application in:
- ☐ a non-English language.
  - ☐ English.
- ☐ Translation of the international application into English ☐ which is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ Processing fee (37 CFR 1.492(f)) ☐ which is insufficient.
- ☒ Oath or Declaration of inventor(s).
- ☐ in compliance with 37 CFR 1.497(a) and (b).
  - ☒ not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ Surcharge (37 CFR 1.492(e)) ☐ which is insufficient.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s).
- ☐ Information Disclosure Statement(s).
- ☒ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification.
- ☐ Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☐ Other:

4. ☐ All of the requirements set forth in the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed \_\_\_\_\_ have not been completed.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of six months.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

 Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation

 Francina Young  
National Stage Processing  
Paralegal Specialist

Sep 10, 2000